

Board of Education Agenda Item

Item: _____ Q. _____

Date: _____ October 25, 2006 _____

Topic: Final Review of Proposed Amendments to Virginia's No Child Left Behind (NCLB) Accountability Workbook Affecting Calculations of Adequate Yearly Progress (AYP) for the 2007-2008 School Year Based on Assessments Administered in 2006-2007

Presenter: Ms. Shelley Loving-Ryder, Assistant Superintendent for Assessment and Reporting

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Origin:

_____ Topic presented for information only (no board action required)

_____ Board review required by

 X State or federal law or regulation

_____ Board of Education regulation

_____ Other: _____

_____ Action requested at this meeting _____ Action requested at future meeting: _____ (date)

Previous Review/Action:

_____ No previous board review/action

 X Previous review/action

 date September 27, 2006

 action Approved timeline for submission of evidence to USED

Background Information:

Status of Virginia's Consolidated State Application Accountability Plan

The *No Child Left Behind Act of 2001* (NCLB), which is a reauthorization of the Elementary and Secondary Education Act (ESEA), requires all state educational agencies (SEA) to submit for approval to the United States Department of Education (USED) individual program applications or a consolidated state application. In May 2002, the Virginia Board of Education submitted and received USED approval for its initial Consolidated State Application under the NCLB law. The NCLB application process involves multiple submissions of information, data, and policies. A major component of the consolidated application is Virginia's Consolidated State Application Accountability Workbook that describes a single statewide accountability system for the Commonwealth. The policies and procedures that were used to determine Adequate Yearly Progress (AYP) ratings for the 2006-2007 school year based on 2005-2006 assessment results are described in the amended workbook dated July 21, 2006.

Status of USED Standards and Assessment Peer Review

As part of the NCLB compliance requirements, states must submit materials to the USED for a peer review of the processes and policies related to the development and implementation of the state's standards and assessments. In November 2005, the Virginia Department of Education submitted available documentation to USED for review under this requirement. Because Virginia implemented new tests in reading and mathematics in grades 3 through 8 in spring 2006, as well as a revised alternate assessment program for students with significant cognitive disabilities, some of the required information was not available at the time of the November 2005 submission.

On March 22, 2006, USED issued a letter to Virginia outlining additional evidence to be submitted after the spring 2006 test administration. On June 13, 2006, Virginia submitted a timeline for providing the additional evidence. On June 28, 2006, USED issued a second letter rating Virginia's assessment system as *Approval Pending*. The letter stated that "Virginia's system has one fundamental component that warrants the designation of *Approval Pending*. Specifically, we cannot approve Virginia's standards and assessment system due to outstanding concerns regarding the validity, comparability, alignment, reporting and approved academic achievement standards for the Stanford English Language Proficiency (SELP) assessment when used as a proxy for the reading Standards of Learning (SOL) assessments."

Based on the *Approval Pending* rating Virginia was placed under mandatory oversight by USED and was required to provide, within 25 business days from the receipt of the letter, a plan and a detailed timeline for how it will meet the remaining requirements to come into full compliance by the end of the 2006-2007 school year. A second peer review of the additional information will be conducted once all additional evidence has been submitted.

At its July 26, 2006, meeting the Virginia Board of Education approved a detailed timeline for submission of additional evidence to USED. On August 31, 2006, the Virginia Department of Education received a letter from USED approving Virginia's timeline.

Summary of Major Elements

Amendments to Virginia's Accountability Workbook that address the following issues will be presented:

- elimination of the SELP test as the state-approved assessment instrument to be used as a proxy for the SOL reading tests in grades 3 through 8 for LEP students at level 1 or 2 of English language proficiency;
- removal of scores resulting from certain substitute tests from the calculation of AYP;
- removal of scores resulting from the Virginia Substitute Evaluation Program (VSEP) from the calculation of AYP; and
- expansion of the Virginia Grade Level Alternative (VGLA) to include LEP students at levels 1 and 2 of English language proficiency.

The proposed amendments would affect the calculation of AYP for the 2007-2008 school year based on assessments administered in 2006-2007.

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends that the Board accept and approve the proposed amendments to Virginia's NCLB Accountability Workbook for assessments during the 2006-2007 school year.

Impact on Resources:

It is expected that changes to the assessment and accountability systems resulting from these amendments can be made using existing state resources.

Timetable for Further Review/Action:

Virginia's Accountability Workbook will be revised based on the approved amendments and submitted to USED.